

Proceedings in judicial care for minors with a focus on the matters of institutional care of a minor and other upbringing measures

Abstract

The aim of this diploma thesis is to acquaint the reader with the regulation of proceedings in judicial care of minors, in which a child under fifteen years of age or a criminally irresponsible juvenile is imposed a measure pursuant to Act No. 218/2003 Coll. The Juvenile Justice Act, as amended, with all its specifics. Mainly focusing on the course of the entire proceedings from its beginning to its end and on protective care as one of the measures that is the most insensitive intervention in the life of the child to which it is imposed.

The diploma thesis is divided into six chapters, in the first chapter there is an introduction to the topic with an explanation of some elementary terms. The following chapters discuss the various aspects of the proceedings, such as jurisdiction, with a focus on local jurisdiction and the transfer of jurisdiction, which is a typical institute for proceedings in judicial care for minors. In the third chapter, the work deals with interim measures that can be imposed both before and during the proceedings. This chapter also includes a short excursion into the procedure of the police authority and the public prosecutor before the initiation of the proceedings. This is followed by the initiation of the proceedings and their participants, the course of the court hearing. In the subchapter about the participants in the proceedings, the diploma thesis focuses mainly on the person of the child's guardian and his position in the proceedings. The fifth chapter, entitled "Judicial decisions and the imposition of measures", discusses the decision issued by the court in these proceedings and the individual measures that can be imposed on a minor, focusing on protecting care. The last chapter deals with the remedies that can be filed against the decision.

This diploma thesis is primarily focused on the specifics of proceedings in question.